

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

MOHAMMED MAHMUD HMAIDAN

DEBTOR

CASE NO. 14-04432-MCF

CHAPTER 13

**DEBTOR'S MOTION AND NOTICE OF FILING OF POST-CONFIRMATION  
MODIFICATION OF CHAPTER 13 PLAN 11 USC §1329**

TO THE HONORABLE COURT:

**NOW COMES, MOHAMMED MAHMUD HMAIDAN**, through the undersigned attorney, and very respectfully states and prays as follows:

1. The debtor is hereby submitting a post-confirmation modification of Chapter 13 Plan, 11 USC Section 1329, dated October 28, 2015, herewith and attached to this motion.

2. This Plan modification is filed to cure post-petition arrears owed to secured creditor Banco Santander Puerto Rico.

**NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 3015(f)(2)(b)**

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

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Post confirmation modification of chapter 13 Plan  
Case no. 14-04432MCF13

I **CERTIFY**, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, and all CM/ECF participants; I also certify that a copy of this notice was sent via regular mail to the debtor and to all creditors and interested parties appearing in the master address list, hereby attached.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 28<sup>th</sup> day of October, 2015.

/s/Roberto Figueroa Carrasquillo  
ROBERTO FIGUEROA CARRASQUILLO  
USDC 203614  
ATTORNEY FOR PETITIONER  
PO BOX 186  
CAGUAS PR 00726-0186  
TEL 787-744-7699 FAX NO 787-746-5294  
EMAIL: [rfueroa@rfclawpr.com](mailto:rfueroa@rfclawpr.com)

United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. 3:14-bk-4432

**MAHMUD HMAIDAN, MOHAMMED**

Chapter 13

Debtor(s)

**AMENDED CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 10/28/2015

☐ AMENDED PLAN DATED: \_\_\_\_\_

☐ PRE ☒ POST-CONFIRMATION

Filed by: ☐ Debtor ☐ Trustee ☐ Other

**I. PAYMENT PLAN SCHEDULE**

\$ 470.00 x 12 = \$ 5,640.00  
 \$ 525.00 x 48 = \$ 25,200.00  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_  
 TOTAL: \$ 30,840.00

Additional Payments:

\$ \_\_\_\_\_ to be paid as a LUMP SUM  
within \_\_\_\_\_ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in  
addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ 30,840.00

**III. ATTORNEY'S FEES**  
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
Disclosure Statement: \$ 2,464.00

Signed: /s/ MOHAMMED MAHMUD HMAIDAN  
Debtor

Joint Debtor

**II. DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS OR \_\_\_\_\_ \$ \_\_\_\_\_

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. <u>Banco Santander Pu</u>	Cr. <u>Banco Santander Pu</u>	Cr. _____
# <u>2428 Claim 7-1</u>	# <u>2428 Post-Petition</u>	# _____
\$ <u>24,549.50</u>	\$ <u>5,513.45</u>	\$ _____

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

Banco Santander Pu

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: \_\_\_\_\_  
☐ Paid 100% / ☐ Other: \_\_\_\_\_

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

\* "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds."

Attorney for Debtor R. Figueroa Carrasquillo Law Office

Phone: (787) 744-7699



Label Matrix for local noticing  
0104-3  
Case 14-04432-MCF13  
District of Puerto Rico  
Old San Juan  
Tue Oct 27 16:53:58 AST 2015

American InfoSource LP as agent for  
T Mobile/T-Mobile USA Inc  
PO Box 248848  
Oklahoma City, OK 73124-8848

Citibank  
8875 Aero Dr Ste 200  
San Diego, CA 92123-2255

DEPARTMENT OF TREASURY SECTION OF BANKRUPTCY  
PO BOX 9024140  
SAN JUAN, PR 00902-4140

Gecrb/Pep Boys  
PO Box 981439  
El Paso, TX 79998-1439

Midland Credit Management, Inc.  
as agent for MIDLAND FUNDING LLC  
PO Box 2011  
Warren, MI 48090-2011

PR ACQUISITIONS LLC  
PO BOX 194499  
SAN JUAN PR 00919-4499

TD Retail Card Services  
c/o Creditors Bankruptcy Service  
P.O. Box 740933  
Dallas, TX 75374-0933

Velocity Investments LLC  
c/o JD Receivables LLC  
P.O. Box 382656  
Germantown, TN 38183-2656

MOHAMMED MAHMUD HMAIDAN  
PO BOX 2017  
LAS PIEDRAS, PR 00771-2017

BANCO SANTANDER - PUERTO RICO  
C/O SERGIO A. RAMIREZ DE ARELLANO LAW OF  
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San Juan, PR 00919-2199

Citifinancia  
605 Munn Road  
Fort Mill, SC 29715-8421

Dish Network  
4500 Salisbury Rd Ste 10  
Jacksonville, FL 32216-0959

Gecrb/Walmart Dc  
PO Box 965024  
Orlando, FL 32896-5024

Midland Credit Management, Inc. as agent for  
MIDLAND FUNDING LLC  
PO Box 2011  
Warren, MI 48090-2011

Sears/Cbna  
PO Box 6282  
Sioux Falls, SD 57117-6282

Td Rcs/Advance Auto  
1000 Macarthur Blvd  
Mahwah, NJ 07430-2035

Western Auto  
PO Box 75002  
Levittown, PR 00950

MONSITA LECAROS ARRIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901

US Bankruptcy Court District of P.R.  
Jose V Toledo Fed Bldg & US Courthouse  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

Banco Santander de Puerto Rico  
PO Box 362589  
San Juan, PR 00936-2589

Citifinancial  
Calle Delfaus #19  
Juncos, PR 00777-7040

FirstBank Of PR  
PO Box 13817  
San Juan, PR 00908-3800

Island Finance  
PO Box 195369  
San Juan, PR 00919-5369

Midland Funding  
8875 Aero Dr Ste 200  
San Diego, CA 92123-2255

Stellar Recovery Inc  
4500 Salisbury Rd Ste 10  
Jacksonville, FL 32216-8035

Thd/Cbna  
PO Box 6497  
Sioux Falls, SD 57117-6497

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ROBERTO FIGUEROA CARRASQUILLO  
PO BOX 186  
CAGUAS, PR 00726-0186

End of Label Matrix

Mailable recipients 29

Bypassed recipients 0

Total 29